

POST PRISON TRANSFER BOARD

Enabling Laws

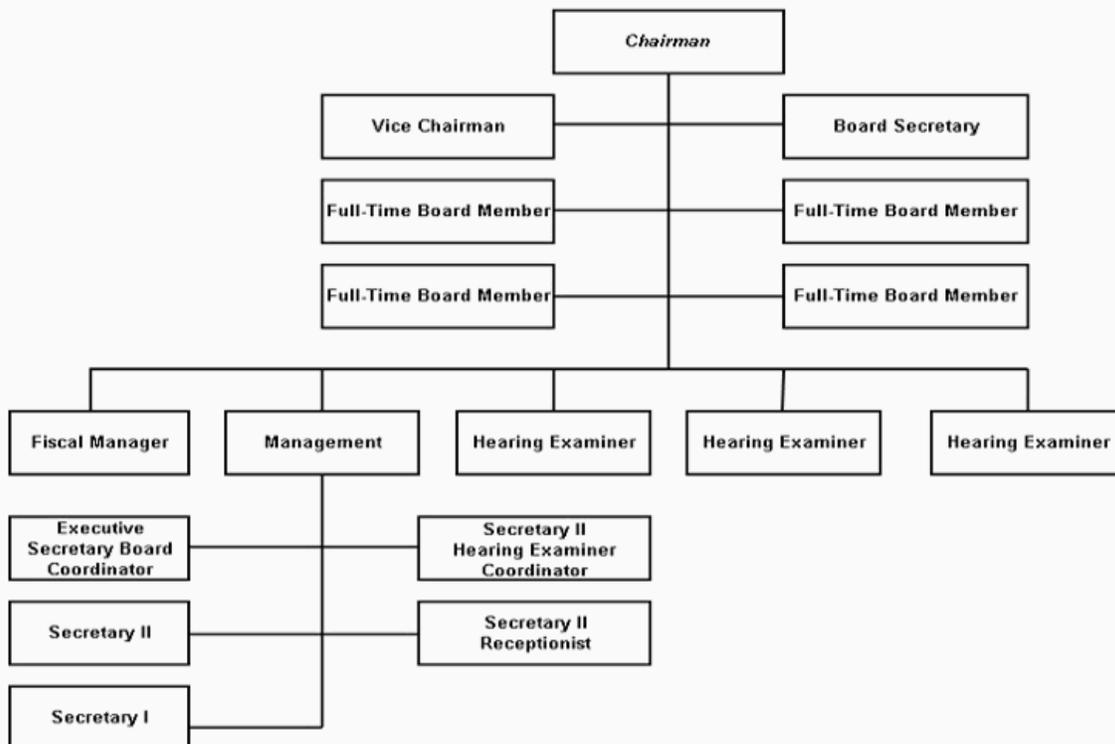
Act 456 of 2003, A.C.A. §16-93-201, et. Seq.

History and Organization

The Post Prison Transfer Board is dedicated to the process of promoting public safety by the return of offenders into the community through supervised, conditional release. The goal is to guide and monitor the transition from confinement to the successful completion of supervision within the community.

The State Board of Parole and Community Rehabilitation was created by Act 937 of 1989, with three (3) full-time members and four (4) part-time members.

During the 79th General Assembly Regular Session, 1993, An Act to change the name of the State Board of Parole and Community Rehabilitation to the Post Prison Transfer Board was introduced and became law. This was followed by Act 285/361 of 1995, to provide that the Post Prison Transfer Board be comprised of five (5) full-time members and two (2) part-time members. Act 979 of 1999, authorized a change to six (6) full-time members and one (1) part-time member. The staff consists of three (3) Revocation Hearing Examiners and seven (7) Clerks for a total of 16 authorized positions.



Agency Commentary

The Post Prison Transfer Board's workload has more than doubled over the past four (4) years. We conducted more than fourteen thousand (14,000) hearings and screenings for inmates in the Arkansas Department of Correction and the Arkansas Department of Community Correction for FY03.

The Department of Correction (DOC) and the Department of Community Correction (DCC) provides assistance/services to this Agency as needed. This Agency would like to assume the responsibility for paying and providing its own services instead of letting DOC and DCC provide the services.

Our need for administrative support staff has not kept up with agency's demand.

The number of parole hearings, pardons and clemencies that come before us yearly are uncontrollable; therefore, we must have both the staff and technological support to do the tasks that are required by State law. In order to adequately perform our statutory duties, we need clerks, an investigator and seven (7) cars for Board in-state travel and matching support (M&O).

Clerks: Since 1995, the workload of our current clerical staff has more than doubled. We do not have the capacity to adequately accommodate the mandated responsibilities of this Board. The populations within the Department of Correction and the Department of Community Correction continue to rise at a record-setting pace. In 1995, this staff handled over 7,000 cases, and in 2003, the same staff handled over 14,000 cases. In 2004, we expect to exceed 14,000 cases. It is not possible to continue at this pace. We need the increase in clerical staff and the reclassification of current staff to maintain this office's level of professionalism and accountability.

Investigator: The purpose of this position is to assist Board members, gather and investigate information that's provided pursuant to request for pardons, clemencies, and other parole issues. The inmate population at DOC and DCC continues to grow at an alarming rate, and the amount of information presented to the PPTB is voluminous. The investigator will visit courthouses around the State, reviewing old and new case files as we attempt to verify information submitted for review.

Cars - Board Travel: Board members travel all over the State visiting the seventeen (17) units of Department of Correction and the four (4) units of Department of Community Correction and for other Board related business. The Board members and Hearing Examiners travel over 132,872 miles per year.

Technical Support: We need the computers, laptops, typewriters, etc, to perform the duties required of clerical staff.

DP Equipment for Video Conferencing: This will allow the Hearing Examiners flexibility in traveling to all seventy-five (75) counties, holding revocation hearings. Recidivism is very high; therefore, more hearings are conducted. This equipment will balance the number of hearings and the miles that are often traveled.

Maintenance & Operation: We need the appropriate funds to perform up to expected standards.

Audit Findings

DIVISION OF LEGISLATIVE AUDIT
AUDIT OF :
POST PRISON TRANSFER BOARD
FOR THE YEAR ENDED JUNE 30, 2003

Findings

Act 547 of 1993 created the Post Prison Transfer Board to be composed of seven (7) members, six (6) of which shall serve as full-time officials of the State. During the audit, we determined that all board members occupying full-time positions were not required to work a full-time schedule, even though receiving full-time compensation and benefits, such as retirement matching and annual and sick leave accruals. In addition, one (1) board member resigned July 1, 2002 and according to the official manual records of the Agency, had an actual annual leave balance of twenty (20) hours. According to AASIS, which was not considered to be the official annual leave record of the Agency, the board member had 310 hours of annual leave. The Agency paid the member for 240 hours of annual leave, which represented the maximum leave accrual that may be paid upon termination.

The Agency did not follow State travel policies established by the Department of Finance and Administration, which require mileage reimbursements to be based upon the shortest distance to the destination. If the shortest distance is from the employee's official station to the destination, that distance should be claimed. If the shortest distance is from the employee's personal residence to the destination, that distance should be claimed. The Agency's employees claimed the distance from the employee's official station without regard to the shortest distance.

Recommendations

The Agency seek the advise of the Chief Fiscal Office of the State and the Attorney General for resolution of these matters. A determination should be made as to whether a full-time board member is entitled to full-time salary and benefits while working less than full-time. Also, a review of the termination pay noted above should be conducted to determine if any funds may be due the State.

The Agency review and comply with State travel policies and determine any funds due the State.

Employment Summary

	Male	Female	Total	%
White Employees	4	4	8	50 %
Black Employees	3	5	8	50 %
Other Racial Minorities	0	0	0	0 %
Total Minorities			8	50%
Total Employees			16	100 %

Publications

A.C.A 25-1-204

Name	Statutory Authorization	Required for		# Of Copies	Reason (s) for Continued Publication and Distribution
		Governor	General Assembly		
Annual Report	ACA 16-93-202	Y	Y	10	Information Purposes

Analysis of Budget Request

Appropriation / Program: 306 - Post Prison Operations

Funding Sources: HUA-Miscellaneous Agencies Fund

The Post Prison Transfer Board (PPBT), formerly the Board of Parole and Community Rehabilitation, consists of seven members, six of which are full-time paid employees of the State. They have one part-time non-paid member. The Governor appoints each board member for a seven-year term. Board members regularly interview eligible inmates to determine who should be placed on parole or in an alternative service program. They also prescribe conditions of parole or release for inmates. The Chairman of the Post Prison Transfer Board also serves as an ex-officio member of the Board of Corrections.

The funding for PPBT is by General Revenue and a fund transfer from the Department of Correction (DOC). The PPBT is authorized to receive assistance from the Department of Correction and the Department of Community Correction (DCC), as provided by Section 3 of Act 456 of 2003.

The Base Level for this appropriation includes a graduated salary increase of 3.0% to 1.5% each year over the FY05 salary levels, along with related Personal Services Matching cost for 16 Base Level positions. This includes a \$600 minimum increase for employees earning \$20,000 or below. Included in Personal Services Matching is a \$40 increase in the monthly contribution for State employee's health insurance for a total State contribution of \$320 per month per budgeted employee.

The Base Level Request is \$1,170,306 in FY06 and \$1,198,100 in FY07.

The Change Level Requests submitted are \$616,934 in FY06 and \$440,453 in FY07 and are summarized as follows:

1. The Agency is requesting five new Administrative Assistant II - grade 17, and one Investigator - grade 24. The salary and match total is \$205,846 in FY06 and \$211,325 in FY07.
2. \$9,199 in FY06 and \$9,404 in FY07 to reclassify five current administrative staff to Administrative Assistant I.
3. \$124,639 in FY06 and \$87,524 in FY07 for Operating Expenses for the six new positions requested. This includes additional lease space, office furniture, telephones, computers, software, office supplies, data processing supplies, parking, and a copier and fax machine.
4. \$134,050 for seven new vehicles in FY06 and \$9,800 each year of the biennium for Operating Expenses related to the new vehicles (license, insurance, maintenance and repairs, and fuel.)
5. \$122,400 in Operating Expenses each year of the biennium to pay for lease of copier, building lease, parking fees, and cell phone fees that are currently paid by Department of Community Correction. Both Department of Correction and Community Correction provide assistance to Post Prison Transfer Board. Department of Correction provides \$80,000 in funding which is reflected in base level.

6. \$11,000 in FY06 for Video Conferencing Equipment.

The Executive Recommendation provides for Base Level and requested Change Levels of \$530,497 in FY06 and \$351,897 in FY07 in appropriation and funding. This recommendation does not include one position, an Investigator grade 24 and the upgrade of the Agency's Secretary II positions. The Executive Recommended that five (5) new positions be Secretary II's grade 13 instead of Administration Assistant II's grade 17. The Executive Recommendation concurs with the Agency's request to replace funding and appropriation that the Department of Correction and Department of Community Correction has provided in the past as assistance to Post Prison Transfer Board.

Appropriation / Program Summary

Appropriation / Program: 306 Post Prison Operations
Funding Sources: HUA-Miscellaneous Agencies Fund

Commitment Item	Historical Data			Agency Request and Executive Recommendation					
	2003-2004 Actual	2004-2005 Budget	2004-2005 Authorized	2005-2006			2006-2007		
				Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries 5010000	820,166	839,382	844,562	864,268	1,025,890	956,358	887,662	1,054,068	982,752
#Positions	16	16	16	16	22	21	16	22	21
Personal Services Matching 5010003	194,520	211,320	203,332	223,921	277,344	260,439	228,321	282,644	265,404
Operating Expenses 5020002	108,467	80,117	80,117	80,117	336,956	336,956	80,117	299,841	299,841
Travel-Conference Fees 5050009	0	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000
Professional Fees and Services 5060010	0	0	0	0	0	0	0	0	0
Data Processing 5090012	0	0	0	0	11,000	11,000	0	0	0
Capital Outlay 5120011	12,059	0	0	0	134,050	134,050	0	0	0
Total	1,135,212	1,132,819	1,130,011	1,170,306	1,787,240	1,700,803	1,198,100	1,638,553	1,549,997
Funding Sources									
General Revenue 4000010	1,002,403	1,014,387		1,170,306	1,787,240	1,700,803	1,198,100	1,638,553	1,549,997
Merit Adjustment Fund 4000055	12,499	39,700		0	0	0	0	0	0
DFA Motor Vehicle Aquisition 4000184	11,310	0		0	0	0	0	0	0
Gen Rev Transfer from DOC 4000260	109,000	78,732		0	0	0	0	0	0
Total Funding	1,135,212	1,132,819		1,170,306	1,787,240	1,700,803	1,198,100	1,638,553	1,549,997
Excess Appropriation/(Funding)	0	0		0	0	0	0	0	0
Grand Total	1,135,212	1,132,819		1,170,306	1,787,240	1,700,803	1,198,100	1,638,553	1,549,997

The FY05 Budgeted amount in Personal Services Matching exceeds the authorized amount due to matching rate adjustments during the 2003-05 biennium.
 Actual Expenditures for Capital Outlay for FY04 exceeds Authorized due to a Budget Classification Transfer from Travel and Conference Fees (\$749) and a transfer from the Motor Vehicle Acquisition Fund (\$11,310.)

Change Level by Appropriation

Appropriation / Program: 306-Post Prison Operations
Funding Sources: HUA-Miscellaneous Agencies Fund

Agency Request

Change Level		2005-2006	Pos	Cumulative	% of BL	2006-2007	Pos	Cumulative	% of BL
BL	Base Level	1,170,306	16	1,170,306	100.0	1,198,100	16	1,198,100	100.0
C01	Existing Program	454,835	6	1,625,141	138.8	305,649	6	1,503,749	125.5
C02	New Program	122,400	0	1,747,541	149.3	122,400	0	1,626,149	135.7
C08	Technology	30,500	0	1,778,041	151.9	3,000	0	1,629,149	135.9
C10	Reclass	9,199	0	1,787,240	152.7	9,404	0	1,638,553	136.7

Executive Recommendation

Change Level		2005-2006	Pos	Cumulative	% of BL	2006-2007	Pos	Cumulative	% of BL
BL	Base Level	1,170,306	16	1,170,306	100.0	1,198,100	16	1,198,100	100.0
C01	Existing Program	377,597	5	1,547,903	132.2	226,497	5	1,424,597	118.9
C02	New Program	122,400	0	1,670,303	142.7	122,400	0	1,546,997	129.1
C08	Technology	30,500	0	1,700,803	145.3	3,000	0	1,549,997	129.3
C10	Reclass	0	0	1,700,803	145.3	0	0	1,549,997	129.3

Justification

C01	The Board conducted more than 14,000 cases in FY03. The need for administrative support has not kept up with agency demands. The Agency is requesting five (5) new Administrative Assistant II grade 17. An Investigator is needed to assist the Board members, gather and investigate information that's provided pursuant to the record number of request for Pardons, Clemencies, and other parole issues in order to continue the Board's needs increase in staff, additional office space and furnishings. The Board has need of seven (7) additional cars to keep up with the increase in the number of prison units that's covered around the State. The Board currently must travel around the State to the seventeen (17) units of the Arkansas Department of Correction, and the four (4) units of Arkansas Department of Community Correction and other Board related business. Over one hundred thirty thousand (130,000) miles are traveled per year by the Board and Hearing Examiners. The need for maintenance and insurance also arises. In order to keep with the record growth, you must increase staff and equipment to complete daily tasks.
C02	Currently Department of Community Correction provides assistance to Post Prison Transfer Board through payment of certain operating expenses occurred by Post Prison Transfer Board. The Board is requesting appropriation and funds that will allow for payment of these expenses from their own operating appropriation.
C08	The Agency is requesting Video Conferencing equipment to enhance the ability of the Hearing Examiners flexibility in traveling to all seventy-five (75) counties conducting Revocation Hearings. Recidivism is very high along with Technical Violations. This video equipment will balance the number of hearings and miles that they cover.
C10	The Agency is requesting for their current administrative staff to be reclassified to a grade 15 Administrative Assistant I.